

REMARKS

This paper is responsive to the restriction requirement of the Office Action mailed November 30, 2005 (hereinafter "Office Action"). The Office Action identifies two inventions, a Group I (Claims 1-20 and 40-47) drawn to a power conversion apparatus and a Group II (Claims 25-39) drawn to an uninterruptible power supply. Applicant provisionally elects Group II (Claims 25-39), with traverse. Applicants have also amended the claims to add new Claim 48.

The Office Action asserts that "Group I and Group II are related as combination and subcombination" and that "the combination of Group I, as claimed, does not require the particulars of the subcombination [Group II] as claimed because combination does not require 'DC voltage from either or both of a first power source and a second power source.'" Office Action, p. 2. Applicant submits that Groups I and II do not have the combination/subcombination relationship alleged in the Office Action. In particular, as defined in MPEP 810.05(a) "A combination is an organization of which a subcombination or element is a part." Group II is not a subcombination of Group I because Group II is not a "part" of Group I.

Applicant submits that, in fact, Claim 1 of Group I is a *subcombination* with respect to Claim 25 of Group II. Claim 1 recites:

A power conversion apparatus comprising:
a DC link comprising first and second DC busses and a reference bus;
a DC generator circuit coupled to the DC link and operative to generate first and second DC voltages with respect to the reference bus on respective ones of the first and second DC busses; and
a precharge circuit coupled to the DC link and operative to charge a first capacitance between the first DC bus and the reference bus and to transfer charge from the charged first capacitance to a second capacitance between the second DC bus and the reference bus.

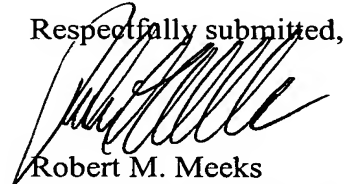
Claim 25 recites:

An uninterruptible power supply (UPS) comprising:
a DC link comprising first and second DC busses and a reference bus;
a DC generator circuit coupled to the DC link and operative to generate first and second DC voltages with respect to the reference bus on respective ones of the first and second DC busses *from either or both of a first power source and a second power source*; and
a precharge circuit coupled to the DC link and operative to charge a first capacitance between the first DC bus and the reference bus and to transfer charge from the charged first capacitance to a second capacitance between the second DC bus and the reference bus.

Thus, Claim 25 includes all of the recitations of Claim 1, and ***adds*** the elements "from either or both of a first power source and a second power source," i.e., the "power conversion apparatus" recited in Claim 1 is a "part" of the "UPS" recited in Claim 25.

One of the requirements for two-way distinctness between these claims required to support restriction of such a combination/subcombination relationship is not present. In particular, Claim 25 ***does*** require the recitations shared with Claim 1 for patentability. For at least these reasons, Applicant submits that the restriction requirement is erroneous. Accordingly, Applicant requests withdrawal of the restriction requirement, and the examination of Claims 1-48.

Respectfully submitted,



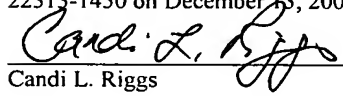
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 13, 2005.


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